

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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Ronald W. Kazmierczak, Regional Director

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September 2, 2009

Door County Hwy Dept
John Kolodziej
1001 S Duluth Ave
Sturgeon Bay, WI 54235

Subject: Reported Contamination at the Door County Hwy Salt Storage Facility, 10363 Hwy 57,
Sister Bay WI. **WDNR BRRTS #: 02-15-554088**

Dear Mr. Kolodziej:

On June 30, 2009, the Wisconsin Department of Natural Resources ("WDNR"), the Door County Hwy Department and the Village of Sister Bay discussed the finding of high levels of salt in nearby private wells. It was decided to confirm these findings with additional sampling of nearby private wells. On July 13, 2009, fifteen (15) private wells were sampled and the samples were submitted to the Wisconsin State Laboratory of Hygiene in Madison. On August 6, 2009, the State Lab reported the results and confirmed that the area's ground water has been impacted by salt. On August 20, 2009, the WDNR, Door Co Hwy Dept and the Village of Sister Bay met at the Salt Storage Facility to discuss the steps the County needs to take to investigate the salt contamination.

Based on the information that has been submitted to the WDNR regarding this site, we believe you are responsible for investigating and restoring the environment at the above-described site under Section 292.11, Wisconsin Statutes, known as the hazardous substances spills law. Elevated concentration of chloride above enforcement standards have been reported in several private wells down gradient of the County salt storage facility and the well at the County facility is also above standards.

This letter describes the legal responsibilities of a person who is responsible under section 292.11, this explains what you need to do to investigate and clean up the contamination.

Legal Responsibilities:

Your legal responsibilities are defined both in statute and in administrative codes. The hazardous substances spill law, Section 292.11 (3) Wisconsin Statutes, states:

- **RESPONSIBILITY.** A person who possesses or controls a hazardous substance which is discharged or who causes the discharge of a hazardous substance shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands, or waters of the state.

Wisconsin Administrative Code chapters NR 700 through NR 749 establish requirements for emergency and interim actions, public information, site investigations, design and operation of remedial

action systems, and case closure. Wisconsin Administrative Code chapter NR 140 establishes groundwater standards for contaminants that reach groundwater.

Steps to Take:

The longer contamination is left in the environment, the farther it can spread and the more it may cost to clean up. Quick action may lessen damage to your property and neighboring properties and reduce your costs in investigating and cleaning up the contamination. To ensure that your cleanup complies with Wisconsin's laws and administrative codes, you should hire a professional environmental consultant who understands what needs to be done. These are the first steps to take:

1. Within the next **30 days**, by October 2, 2009, you should submit written verification (such as a letter from the consultant) that you have hired an environmental consultant.
2. Within the next **60 days**, by November 2, 2009, your consultant should submit a work plan and schedule for the investigation. The consultant must comply with the requirements in the NR 700 Wis. Adm. Code rule series and should adhere to current WDNR technical guidance documents.

In addition, within 30 days of completion of the site investigation, your consultant should submit a site investigation report to the department.

The Department would recommend that you begin investigation in a phased approach. Investigating the extent of soil contamination may be a more economic approach to determine clean up alternatives in this circumstance.

Sites where discharges to the environment have been reported are entered into the Bureau for Remediation and Redevelopment Tracking System ("BRRTS"), a version of which appears on the WDNR's internet site. You may view the information related to your site at any time (<http://botw.dnr.state.wi.us/botw/Welcome.do>) and use the feedback system to alert us to any errors in the data.

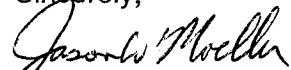
All correspondence regarding this site should be sent to:

Jason Moeller
Wisconsin Department of Natural Resources
2984 Shawano Ave
Green Bay, WI 54313

Unless otherwise requested, please send only one copy of plans and reports. In addition to the paper copy, an electronic copy may also be submitted. To speed processing, correspondence should reference the BRRTS shown at the top of this letter.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 920-662-5492, or via e-mail at Jason.moeller@wisconsin.gov.

Sincerely,



Jason W. Moeller
NER Spills Coordinator - Hydrogeologist
Remediation and Redevelopment Program

cc: Steve Jacobson, Village of Sister Bay, PO Box 91, Sister Bay WI 54234